

**In The United States Patent and Trademark Office**

In Application of : Philip E. Eggers, *et al.*  
Serial No. : 10/630,336  
Filed: : July 30, 2003  
For: : Electrosurgical method and apparatus with dense tissue  
recovery capability.  
TC/AU : 3736  
Examiner :  
Attorney Docket No. : NET 2-097

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**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is filed in conformity with 37 C.F.R. §§ 1.56, 1.97 and 1.98. Accordingly, copies of the art cited herein are provided:

**Patents:**

- 1 U.S. Patent No. 6,471,659 B2 by Eggers, *et al.*, entitled "Minimally Invasive Intact recovery of Tissue," issued October 29, 2002.
- 2 U. S. Patent No. 6,277,083 B1 by Eggers, *et al.*, entitled "Minimally Invasive Intact Recovery Of Tissue," issued August 21, 2001.

**Publications:**

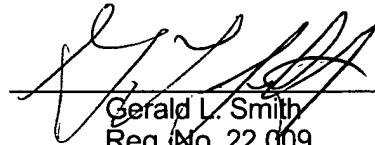
- (1) Parker, Steve H. "The Advanced Breast Biopsy Instrumentation: Another Trojan Horse?" *Am. J. Radiology* 171: 51-53 (1998).
- (2) D'Angelo, Philip C., *et al.* "Stereotactic Excisional Breast Biopsies Utilizing the Advanced Breast Biopsy Instrumentation System." *Am J Surg.* 174: 297-302 (1997).
- (3) Ferzli, George S., *et al.* "Advanced Breast Biopsy Instrumentation: A Critique." *J Am Coll Surg*; 185: 145-151 (1997).
- (4) Rosen, Paul Peter. Rosen's Breast Pathology. Philadelphia: Lippincott-Raven Publishers, 837-858 (1997).

- (5) Parker, Steve H, "Needle Selection and Stereotactic Large-Core Breast Biopsy", Percutaneous Breast Biopsy Eds. Parker, *et al*, Raven Press, New York, pp 7-14 and 61-79 (1993).
- (6) Parker, Steve H, "Stereotactic Large-Core Breast Biopsy." *Percutaneous Breast Biopsy* Eds. Parker, *et al.*, Raven Press, New York, pp. 61-79 (1993).

It respectfully is submitted that none of the foregoing art, alone or in combination, shows or proposes the present invention. Accordingly, favorable action on the application respectfully is requested.

Respectfully submitted,

Date: 15 Jan 04

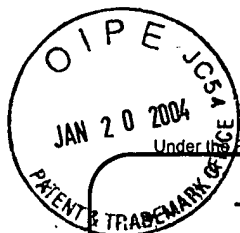
  
Gerald L. Smith  
Reg. No. 22,009  
MUELLER AND SMITH, L.P.A.  
MUELLER-SMITH BUILDING  
7700 Rivers Edge Drive  
Columbus, Ohio 43235-1355  
Tel.: 614-436-0600  
Fax: 614-436-0057  
email: jsmith@muellersmith.com

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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

5

Application Number

10/630,336

Filing Date

July 30, 2003

First Named Inventor

Philip E. Eggers

Art Unit

3736

Examiner Name

Attorney Docket Number

NET 2-097

**ENCLOSURES (Check all that apply)**

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**Remarks**

Forms 1449 and cited patents and publications

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual nameGerald L. Smith  
Mueller and Smith, LPA

Signature

Date

January 15, 2004

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STATEMENT BY APPLICANT

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Sheet	1	of	2
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## Complete if Known

Application Number	10/630,336
Filing Date	July 30, 2003
First Named Inventor	Philip E. Eggert, et al.
Group Art Unit	3736
Examiner Name	
Attorney Docket Number	NET 2-097

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation not in conformance and not considered. Include copy of this form with next communication to applicant.

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STATEMENT BY APPLICANT

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2

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First Named Inventor

Philip E. Eggers

Group Art Unit

3736

Examiner Name

Attorney Docket  
Number

NET 2-097

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

EXAMINER  
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1

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), Publisher, city and/or country where published

T<sup>2</sup>

1

PARKER, STEVE H. "The Advanced Breast Biopsy Instrumentation: Another Trojan Horse?" *Am. J. Radiology* 171: 61-53 (1998).

2

D'ANGELO, PHILIP C., *et al.* "Stereotactic Excisional Breast Biopsies Utilizing the Advanced Breast Biopsy Instrumentation System" *Am J Surg.* 174: 297-302 (1997).

3

FERZLI, GEORGE S., *et al.* "Advanced Breast Biopsy Instrumentation: A Critique", *J Am Coll Surg.* 185: 145-151 (1997).

4

ROSEN, PAUL PETER, *Rosen's Breast Pathology*, Philadelphia: Lippincott-Raven Publishers, pp. 837-858 (1997).

5

PARKER, STEVE H., "Needle,) *Percutaneous Breast Biopsy* Eds. Parker, *et al*, Raven Press, new York, pp 7-14 (1993

6

PARKER, STEVE H. "Stereotactic Large-Core Breast Biopsy," *Percutaneous Breast Biopsy* Eds. Parker, *et al*, Raven Press, new York, pp. 61-79 (1993.

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